

**U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641**

**Section 390  
Categorical Exclusion for  
Oil and Gas Development**

NUMBER: DOI-BLM-CO-110-2011-0123-CX

CASEFILE/PROJECT NUMBER: COC-60735

PROJECT NAME: Williams Request for 40,000bbl Centralized Frac Tank

LEGAL DESCRIPTION: T1S, R98W, Sec.36, NWSW

APPLICANT: Williams Production RMT Company LLC

DESCRIPTION OF PROPOSED ACTION:

Williams Production RMT (Williams) requests authorization to set a temporary tank to be used during centralized fracing operations of area Ryan Gulch wells. The tank would be placed on the southeast corner of the 13-36-198 pad and a berm would be constructed to provide the amount of spill containment required by Colorado Department of Health and the Environment (CDPHE), Colorado Oil and Gas Conservation Commission (COGCC), and the operator's Spill Prevention and Counter Control Plan (SPCC).

The 40,000 bbl tank would replace 90 frac tanks which the operator estimates would cut down on 180 truck trips from water hauling. The proposed large frac tank would remain on location and in use for less than one year. Since this tank would be on location for less than one year, an Environmental Protection Agency (EPA) permit is not required because this large frac tank would not be considered a stationary facility.

Interim reclamation, as laid forth in the approved Applications for Permits to Drill (APDs) for this pad, would commence after the large frac tank is removed from the location. Reclamation on this pad would be expected to begin in the fall of 2012. In order to ensure adequate topsoil viability and improved interim reclamation of this pad, existing topsoil would be stabilized and seeded until it is needed for reclamation. Topsoil would be seeded with an approved BLM seed mix and straw mulch would be applied. At the time of interim reclamation, topsoil would be sampled to ensure viability. If needed, soil would be amended to restore viability before it is used for reclamation. Amendment recommendations would be submitted for approval to the BLM prior to implementation.

Leak detection (See Attachment 1) would consist of the following: A second polyethylene liner and collection sump would be installed underneath the entire base of the large frac tank and would be bermed along the outside of the tank to enable it to hold fluids. The collection sump, consisting of 12in of gravel, geotextile bedding, and the second poly liner would be installed under the base of the frac tank. This Leak Detection Perimeter Berm would contain a perforated collection pipe used to monitor fluid accumulation. Fluid present in the Leak Detection Perimeter Berm, if any, would be monitored daily and tested with a conductivity meter to determine if the liquid contains hydrocarbons or if it is simply precipitation. Any accumulated fluids determined to be precipitation would be pumped into the tank via a sump pump.

In addition, a water level monitoring system consisting of a water level pressure transducer and telemetry equipment, will be installed inside each tank to monitor tank volumes. This equipment would provide real-time spill detection alerts for unexplained or sudden drawdown levels. In the event of a slow leak, Williams can pump up to six bbls per minute through the existing four inch water lines from this pad into the existing water line infrastructure, where it can be recovered at another location.

Williams also has future plans to install 2-14in water lines in the existing ROW to this location. Once this infrastructure is installed, this would allow Williams to evacuate the water at 25-35bbls per minute into the existing water line infrastructure, where it can be recovered at another location. In the event of a high volume leak that cannot be handled by evacuating water through the existing buried water lines, the large frac tank would be emptied by water trucks, which will require one to three hours for mobilization.

To remain in compliance with all SPCC regulations, specifically 40 C.F.R. Part 112, a 3ft perimeter berm would be installed as shown in the attached diagram (See Attachment 2.). The proposed berm has been sized to ensure that 110 percent of the large frac tank volume would be able to be contained on location. Additional material for construction of this berm will be obtained by re-leveling the pad and incorporating material gained into the existing berm. The new berm would be compacted during construction to ensure that it is capable of keeping fluids on location in the event of a release.

Water stored in the large frac tank would be pumped to the locations listed below for use in completing the following wells:

Federal RGU 23-25-198 Pad:

- ☐ Federal RGU 13-35-198
- ☐ Federal RGU 33-35-198
- ☐ Federal RGU 413-35-198
- ☐ Federal RGU 523-35-198

Federal RGU 24-25-198 Pad:

- ☐ Federal RGU 413-25-198
- ☐ Federal RGU 314-25-198
- ☐ Federal RGU 423-25-198
- ☐ Federal RGU 24-25-198

- ☐ Federal RGU 424-25-198
- ☐ Federal RGU 11-36-198
- ☐ Federal RGU 321-36-198
- ☐ Federal RGU 521-36-198

Federal RG 24-14-298 Pad:

- ☐ Federal RG 314-14-298
- ☐ Federal RG 334-14-298
- ☐ Federal RG 433-14-298
- ☐ Federal RG 33-14-298
- ☐ Federal RG 513-14-298
- ☐ Federal RG 13-14-298
- ☐ Federal RG 622-14-298
- ☐ Federal RG 23-14-298
- ☐ Federal RG 523-14-298

Federal RGU 32-25-198 Pad:

- ☐ Federal RGU 23-25-198
- ☐ Federal RGU 22-25-198
- ☐ Federal RGU 422-25-198
- ☐ Federal RGU 531-25-198
- ☐ Federal RGU 332-25-198
- ☐ Federal RGU 532-25-198
- ☐ Federal RG 42-25-198
- ☐ Federal RGU 442-25-198
- ☐ Federal RGU 43-25-198

Federal RGU 41-1-298 Pad:

- ☐ Federal RGU 432-1-298
- ☐ Federal RGU 441-1-298
- ☐ Federal RGU 542-1-298
- ☐ Federal RGU 411-6-297
- ☐ Federal RGU 342-1-298
- ☐ Federal RGU 331-1-298
- ☐ Federal RGU 531-1-298
- ☐ Federal RGU 41-1-298

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-5

Decision Language: “Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values.”

CATEGORICAL EXCLUSION REVIEW: The Energy Policy Act of 2005 (P.L. 109-58) prescribed five categorical exclusions (CX) for activities whose purpose is for the exploration of oil or gas.

The Proposed Action qualifies as a categorical exclusion under the Section 390 of the Energy Policy Act, #1: *“Individual surface disturbances of less than five acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to the NEPA has been previously completed.”*

Documentation

The BLM NEPA Handbook (H-1790-1) provides specific instructions for using this CX.

*1) Is surface disturbance associated with the Proposed Action less than five acres?*

Yes. No additional surface disturbance beyond that which has been approved would result on the RGU 13-36-198 well pad.

*2) Is there less than 150 acres of surface disturbance, including the Proposed Action, on the entire leasehold?*

The current unreclaimed surface of the 1,210 acre lease area (COC-60735) is approximately 25 acres.

*3) Is the Proposed Action within the boundaries of an area included in a site-specific NEPA document that analyzed the exploration and/or development of oil and gas?*

Yes. Site-specific NEPA documents have been prepared (CO-110-2006-240-EA), and the analysis of the proposals to drill considered storage of excess soil and spoil materials and the management of exploration and production materials, as well as solid and hazardous wastes.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 5/17/2011. A list of resource specialists who participated in this review is available upon request from the White River Field Office.

REMARKS:

*Cultural Resources:* The proposed frac tank will be built on existing disturbance on a well pad that was inventoried at the Class III (100 percent pedestrian) level (Conner 2005 Compliance Dated 6/17/2005) with no cultural resources identified during inventory of the pad location. The proposed frac tank and berm will not impact any known cultural resources and will result in no over loss of data to the regional cultural data base. (MRS 6/23/2011)

*Native American Religious Concerns:* No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken. (MRS 6/23/2011)

*Paleontological Resources:* The proposed frac tank location is in an area generally mapped as the Uinta Formation (Tweto 1979) which the BLM, WRFO has classified as a PFYC 4/5 formation (meaning it is known to produce scientifically noteworthy fossil resources) (Armstrong and Wolny 1989). If it becomes necessary to excavate into the underlying sedimentary rock formation to construct a footer for the tank or construct the berm around the tank there is the potential to impact scientifically noteworthy fossil resources; therefore, all such excavations shall have an approved paleontological monitor present before such excavations begin and present until all such excavations have been completed. (MRS 6/23/2011)

*Soil and Water Resources:* The primary protection from tank spills is the leak detection system and the leak detection and notification system. The secondary containment would likely result in loss of fluids to the soil profile within the berms proposed. The risk of this type of event would come from a failure in the leak detection system. Since the tank will be in place only one year, additional reclamation is not necessary and should occur promptly when the tank is removed. Topsoil will be protected via stabilization measures as described in the Proposed Action. Impact from this proposal would include the potential loss of viability of topsoil, but this will be tested before interim reclamation. Nutrients or other additives could be added during interim reclamation to avoid impacts to soils, if soil tests show a deficiency in productivity (RWL 8/1/2011).

*Threatened and Endangered Wildlife Species:* There are no additional wildlife-related issues or concerns associated with the Proposed Action. All wildlife issues were adequately addressed in the original environmental assessment. Placing a temporary frac tank on the existing location is not anticipated to have any foreseeable impacts to terrestrial or aquatic wildlife populations or associated habitats. (LRB 6/24/2011)

*Threatened and Endangered Plant Species:* No special status plant species concerns (ZMM 5/26/2011).

#### REFERENCES CITED:

- Armstrong, Harley J., and David G. Wolny  
1979 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.
- Conner, Carl E.  
2005 Class III Cultural Resources Inventory for Ten Proposed RGU Well Locations and Short Access Routes in Rio Blanco County for Williams Production RMT [Fed RGU Well Nos: 23-6-297, 13-36-198, 24-29-198, 31-30-198, 31-32-198, 33-32-198, 22-

35-198, 44-1-298, 12-10-298D, 42-11-298]. Grand River Institute, Grand Junction, Colorado. (05-11-09: SHPO #RB.LM.NR1666)

Tweto, Ogden

1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

#### MITIGATION:

1. The operator is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The operator will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The operator under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
3. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
4. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
5. If any paleontological resources are discovered as a result of operations under this authorization, the operator or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further

disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

6. Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.

COMPLIANCE PLAN: On-going compliance inspections and monitoring of drilling, production and post-production activities will be conducted by White River Field Office staff during construction of well pads, access roads, and pipelines. Specific mitigation developed in the associated Categorical Exclusion and the lease terms and conditions will be followed. The Operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Christina J. Barlow

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

DATE: 8/3/2011

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy.

SIGNATURE OF AUTHORIZED OFFICIAL:

  
Field Manager

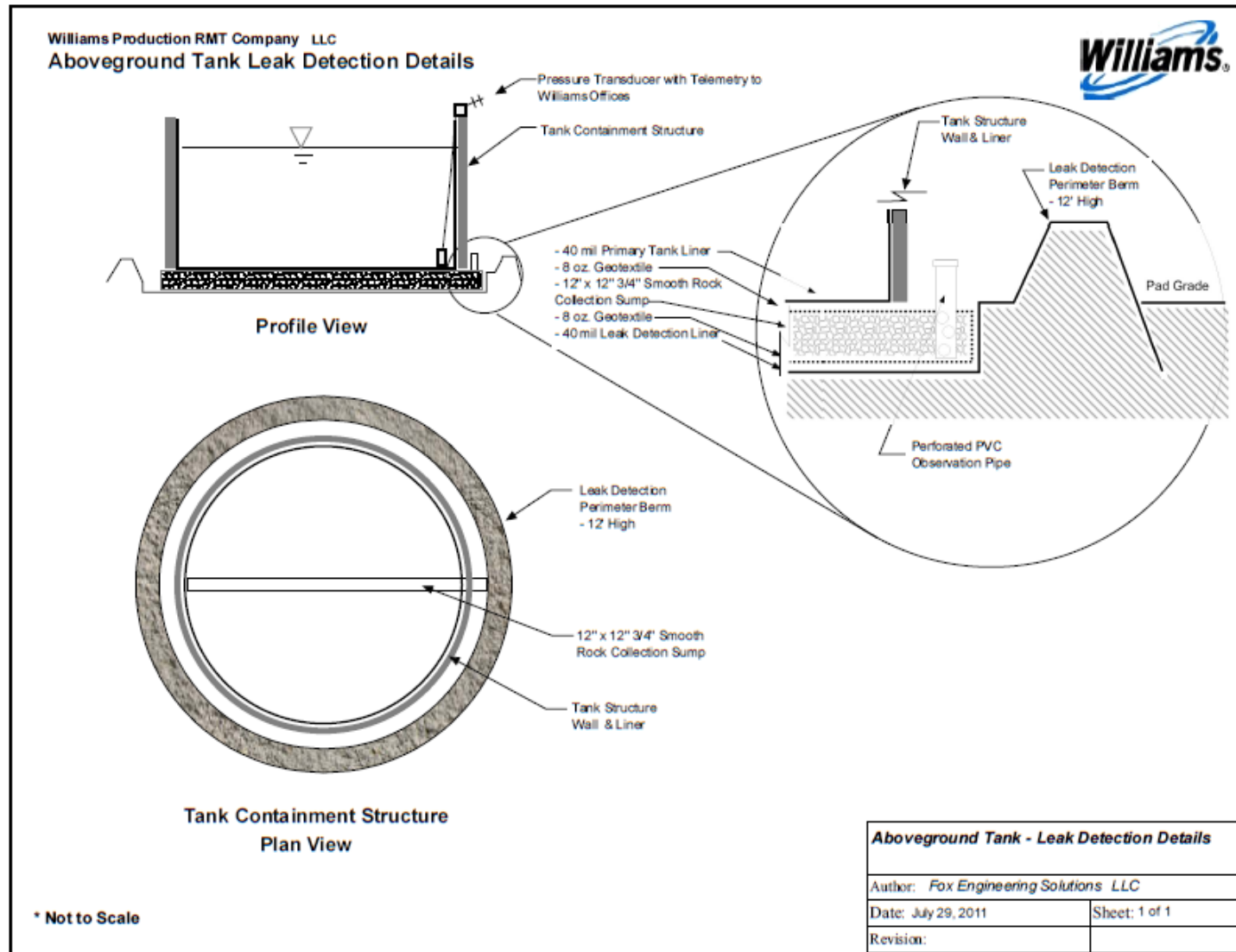
DATE SIGNED: 08/25/2011

ATTACHMENTS:

Attachment 1. Aboveground Tank Leak Detection Details

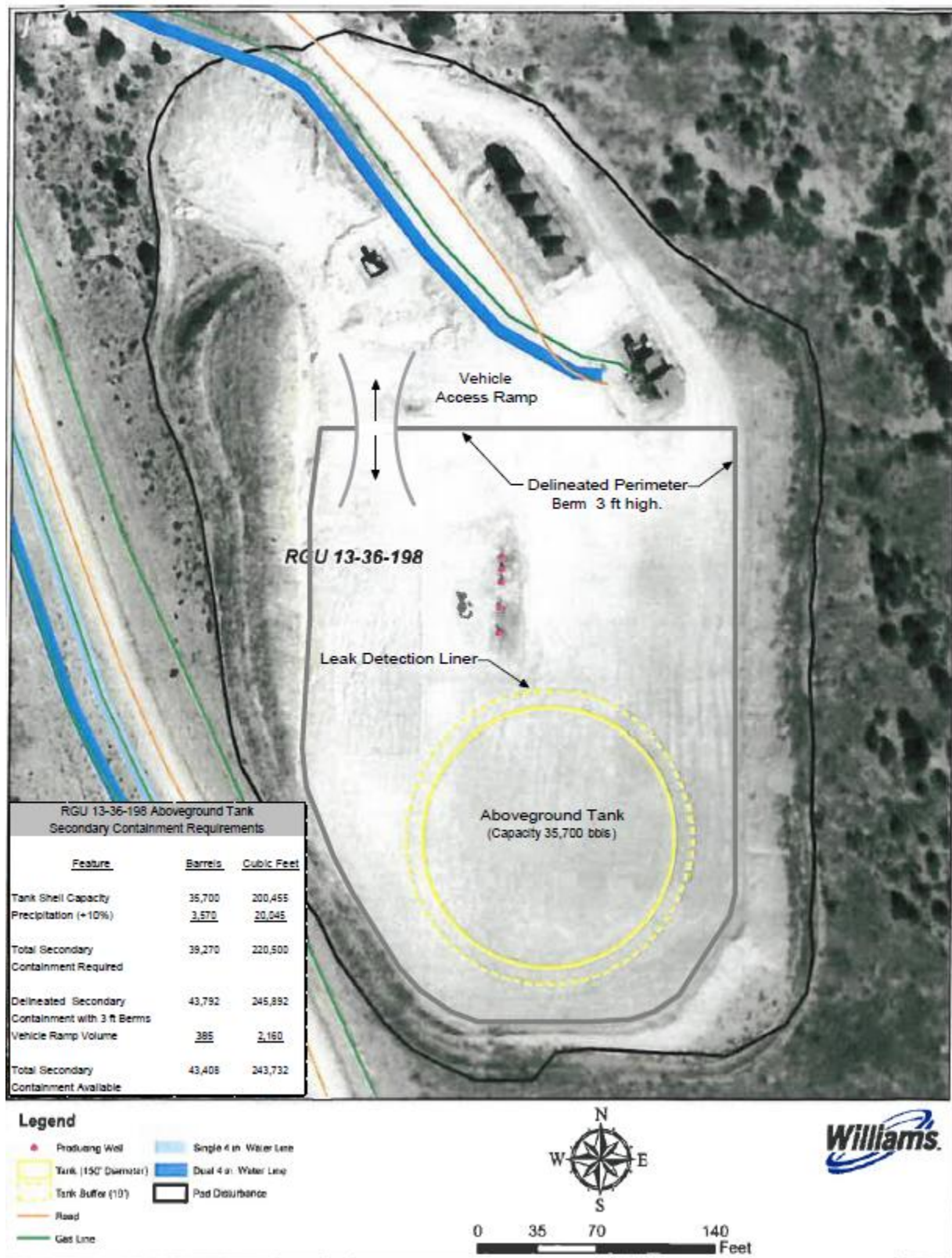
Attachment 2. RGU 13-36-198 Aboveground Secondary Tank Requirements

# Attachment 1. Aboveground Tank Leak Detection Details





## Attachment 2. RGU 13-36-198 Aboveground Secondary Tank Requirements



**U.S. Department of the Interior  
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White River Field Office  
220 E Market St  
Meeker, CO 81641**

**DECISION**

**PROJECT NAME:** Williams Request for 40,000 bbl Centralized Frac Tank

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-CO-2011-0123-CX

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2011-0123-CX, authorizing the construction, operation, and maintenance of the centralized frac tank on the 13-36-198 well pad.

**Mitigation Measures**

1. The operator is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The operator will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The operator under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
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4. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.

5. If any paleontological resources are discovered as a result of operations under this authorization, the operator or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

6. Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.

#### **COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN**

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

#### **PUBLIC INVOLVEMENT**

Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 5/17/2011. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 6/8/2011.

#### **RATIONALE**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy Act. Use of the centralized frac tank would reduce truck traffic associated with water hauling which would reduce impacts associated with disturbance and dust on roads.

#### **ADMINISTRATIVE REMEDIES**

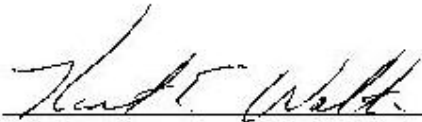
##### **State Director Review**

Under regulations addressed in 43 CFR 3165.3(b), any adversely affected party that contests a decision of the Authorized Officer may request an administrative review, before the State Director, either with or without oral presentation. Such request, including all supporting documentation, shall be filed in writing with the BLM Colorado State Office at 2850 Youngfield Street, Lakewood, Colorado 80215 within 20 business days of the date such decision was received or considered to have been received. Upon request and showing of good cause, an extension may be granted by the State Director. Such review shall include all factors or circumstances relevant to the particular case.

Appeal

Any party who is adversely affected by the decision of the State Director after State Director review, under 43 CFR 3165.3(b), of a decision may appeal that decision to the Interior Board of Land Appeals pursuant to the regulations set out in 43 CFR Part 4.

**SIGNATURE OF AUTHORIZED OFFICIAL:**

  
Field Manager

**DATE SIGNED:**

08/24/11